

1400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
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**To: Examiner: Dalzid E. Singh
Group Art Unit: 2633
Confirmation No.: 1297**

From: John S. Sensny, Esq.

Fax: (571) 273-8300

Pages: 14 (Including fax cover sheet)

Phone:

Date: March 7, 2006

**Re: Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
Filed: September 26, 2001
For: "WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING"
Docket: FIS920010143US1 (14581)
JSS:gc**

CC

AMENDMENT UNDER 37 C.F.R. §1.111**TRANSMITTED HEREWITH:**

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2. Amendment under 37 C.F.R. §1.111;
3. Authorization to charge IBM Deposit Account No. 09-0458/IBM, if necessary; and
4. Certificate of Facsimile Transmission, dated March 7, 2006.

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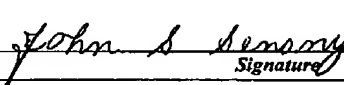
Applicants: Casimer M. DeCusatis, et al.
Serial No.: 09/964,190
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JSS:jy

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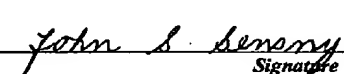
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Casimer M. DeCusatis, et al.			FIS920010143US1 (14581)
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzid E. Singh	Group Art Unit 2633
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING			
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on <u>March 7, 2006</u> <small>(Date)</small>			
<u>John S. Sensny</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>			
<u>John S Sensny</u> <small>(Signature)</small>			
Note: Each paper must have its own certificate of mailing.			

P18/REV02

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. FIS920010143US1 (14581)	
Applicant(s): Casimer M. DeCusatis, et al.					
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzyd E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING					
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<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	3 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
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<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<div style="text-align: center;"> Signature</div> <div>John S. Sensny Registration No. 28,757 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343</div>			Dated: March 7, 2006		
CC:			<div style="border: 1px solid black; padding: 5px;"><input checked="" type="checkbox"/> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence</div>		

P11LARGE/REV09

AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. FIS920010143US1 (14581)	
Applicant(s): Casimer M. DeCusatis, et al.						
Application No. 09/964,190	Filing Date September 26, 2001	Examiner Dalzd E. Singh	Customer No. 23389	Group Art Unit 2633	Confirmation No. 1297	
Invention: WAVELENGTH MODULATION FOR OPTICAL BASED SWITCHING AND ROUTING						
BEST AVAILABLE COPY						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	3 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: March 7, 2006			
John S. Sensny Registration No. 28,757 SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p>(Date)</p><p>_____ Signature of Person Mailing Correspondence</p><p>_____ Typed or Printed Name of Person Mailing Correspondence</p></div>			
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Applicants:** Casimer M. DeCusatis, et al.**Examiner:** Dalzid E. Singh**Serial No.:** 09/964,190**Group Art:** 2633**Filed:** September 26, 2001**Docket:** FIS920010143US1 (14581)**For:** WAVELENGTH MODULATION FOR
OPTICAL BASED SWITCHING AND ROUTING**Dated:** March 7, 2006**Confirmation No.:** 1297**BEST AVAILABLE COPY**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

In response to the Office Action dated December 7, 2005, please amend the subject patent application as follows.

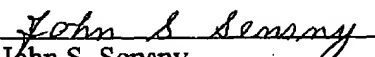
Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: March 7, 2006
John S. Sensny